

Gen. Ord. No. 57 - 10 - 11. By Alderperson Rindfleisch. April 6, 2011.

AN ORDINANCE amending and repealing and recreating various sections of Chapter 26 of the Municipal Code relating to contractor qualifications, licensing and insurance/bonding requirements.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 26-149 of the Sheboygan Municipal Code entitled "Qualifications" is hereby amended in subsection (a)(2) thereof to read as follows:

"Sec. 26-149. Qualifications.

(a). . .

(2) Carpenter contractors: Four years of apprenticeship plus two years working as a journeyman in the residential trade or six years experience in the construction industry."

Section 2. Section 26-149 of the Sheboygan Municipal Code entitled "Qualifications" is hereby repealed and recreated in subsection (b) thereof so as to read as follows:

"Sec. 26-149. Qualifications.

. . .

(b) The following qualifications must also be met for licensed contractors: Any person taking a required examination on behalf of, and procuring a license for, a firm, co-partnership, corporation, association or other organization or any combination thereof shall be an active member or officer thereof; and he cannot qualify to take a required examination for himself, another firm, co-partnership, corporation, association or other organization or combination thereof while any license previously procured by him remains unexpired or uncanceled; provided, however, that if the person passing the examination shall, at any time, sever his connection with the contractor to whom the license was issued on his examination, it shall be his duty, and the contractor to whom the license was issued to give written notice immediately to the board of examiners and, at the same time, surrender the license for cancellation."

Section 3. Section 26-150 of the Sheboygan Municipal Code entitled "Re-examination" is hereby repealed and recreated to read as follows:

"Sec. 26-150. Re-examination.

Any person failing to pass a required examination may be re-examined after 60 days by filing the proper application with a \$20.00 examination fee."

Section 4. Section 26-151 of the Sheboygan Municipal Code entitled "Issuance" is hereby repealed and recreated to read as follows:

"Sec. 26-151. Issuance.

(a) If the applicant receives a score of 75 percent or greater on a required examination, the board shall report said application to the council who may then authorize the building inspection division to issue a license to the applicant upon payment of the license fee.

(b) Where no examination is required, the board shall report a qualifying application to the council who may then authorize the building inspection division to issue a license to the applicant upon payment of the license fee."

Section 5. Section 26-154 of the Sheboygan Municipal Code entitled "Insurance requirements" is hereby repealed and recreated to read as follows:

"Sec. 16-154. Insurance requirements.

(a) Every contractor granted a license and/or registration shall maintain at all times at least one of the following:

1. A policy of general liability insurance issued by an insurer authorized to do business in this state insuring the contractor in the amount of at least \$250,000 per occurrence because of bodily injury to or death of others or because of damage to the property of others.
2. A bond endorsed by a surety company authorized to do business in this state of not less than \$5,000, conditioned upon the contractor complying with all applicable building code provisions and city ordinances, with the exception that for carpenter contractors, the bond shall be conditioned upon the contractor complying with all applicable provisions of the one- and two-family dwelling code and any city ordinance enacted under sec. 101.65(1)(a), Wis. Stats.

(b) If the applicant is required under sec. 102.28(2)(a), Wis.

Stats., to have in force a policy of workers' compensation insurance or if the applicant is self-insured in accordance with sec. 102.28(2)(b), Wis. Stats., the applicant shall file with the building inspection division a statement certifying that the applicant has in force a policy of workers' compensation insurance issued by an insurer authorized to do business in this state or is self-insured in accordance with sec. 102.28(2)(b), Wis. Stats.

(c) If the applicant is required to make state unemployment insurance contributions under chap. 108, Wis. Stats., or is required to pay federal unemployment compensation taxes under 26 USC §§ 3301-3311, the applicant shall file with the building inspection division a statement certifying that the applicant is making those contributions or paying those taxes as required.

(d) If an applicant for a carpenter contractor's license or a registered contractor wishes to use a bond under subsection (a)2 of less than \$25,000 to comply with subsection (a), the applicant shall agree not to perform any work on a dwelling for which the estimated cost of completion is greater than the amount of the bond.

(e) The applicant shall provide evidence of compliance with liability insurance or bond requirements as specified in subsection (a)1 or (a)2 to the building inspection division.

(f) Licenses and/or registrations rendered void for lack of insurance and/or bonding may be reinstated without a new application upon filing the necessary documents within a period of not exceeding 45 days from the date the license and/or registration became void."

Section 6. Section 26-175 of the Sheboygan Municipal Code entitled "Renewal" is hereby repealed and recreated to read as follows:

"Sec. 26-157. Renewal.

A contractor's license and/or registration may be renewed for the next succeeding calendar year by filing a renewal application with the building inspection division and the payment of the renewal fee on or before December 1. Unless a license is renewed prior to its expiration, the applicant shall be required to file a new application and be re-examined, if applicable. An appeal for a waiver from this re-examination requirement may be made to the board of contractor examiners."

Section 7. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.